IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

in re Application of:		on oi:						
Yoi	chi KAK	KUDO et al.) Confirmation No.: 4907					
Applic	ation No	o.: 10/582,336	Group Art Unit: Unassigned					
Filed:	June 9,	2006	Examiner: Unassigned					
For:	FERM	FERMENTED MALT BEVERAGE						
Commissioner for Patents U.S. Patent and Trademark Office Customer Window Mail Stop: New Application Amendment AF Issue Fee Alexandria, VA 22314								
Sir:		INFORMATION DISCLOSUR	RE STATEMENT (IDS)					
Under 37 C.F.R. § 1.97(b): Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicant brings to the attention of the Examiner the documents listed on the attached PTO Form 1449. To the undersigned's knowledge, this IDS is being filed before the mailing date of a first Office Action on the merits, before the mailing date of a first Office Action on the merits after filing an RCE under § 1.114, or within three months of the application filing date. Under 37 C.F.R. § 1.97(c): Pursuant to 37 C.F.R. §§ 1.56 and 1.97(c), Applicant brings to the attention of the Examiner the documents listed on the attached PTO Form 1449. This IDS is being filed after the events recited in § 1.97(b) but, to the undersigned's knowledge, before the mailing date of a Final Office Action, a Notice of Allowance, or another action that closes prosecution in the application.								
		The fee of \$180.00 set forth in § 1.170	(p) is included herein; or					
			nformation contained in this IDS was first reign patent office in a counterpart foreign as prior to the filing of this IDS.					
Under 37 C.F.R. § 1.97(d): Pursuant to 37 C.F.R. §§ 1.56 and 1.97(d), Applicant brings to the attention of the Examiner the documents listed on the attached PTO Form 1449. This IDS is being filed after the events recited in § 1.97(c) but before payment of the issue fee.								
		The fee of \$180.00 set forth in § 1.17((p) is included herein; and					
		= =	reign patent office in a counterpart foreign as prior to the filing of this IDS.					

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Under 37 C.F.R. § 1.97(i): Pursuant to 37 C.F.R. §§ 1.56 and 1.97(i), Applicant brings
to the attention of the Examiner the documents listed on the attached PTO Form 1449. This IDS
is being filed after the events recited in § 1.97(d). Applicant requests that the IDS be placed in
the file.

A search report or other listing of documents from a counterpart, related, or other application dated <u>March 15, 2005</u> and having documents cited thereon is attached for the Examiner's consideration. Any of these documents not previously cited, and any additional documents are listed on the PTO Form 1449.

Applicant respectfully requests that the Examiner consider the listed documents and evidence that consideration by making appropriate notations on the attached form. As for any document listed on the accompanying PTO-1449 that is in a language other than English, relevance can be understood from an enclosed English abstract or at least partial translation or from mention in the specification or in a search report for a corresponding application.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that any of the listed documents are material or constitute "prior art." If it should be determined that any of the listed documents do not constitute "prior art" under United States law, Applicant reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should any of the documents be applied against the claims of the present application.

Except for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this Application, including fees due under 37 C.F.R. § 1.16 and 1.17 which may be required and including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0573. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

Registration No. 44,839

DRINKER, BIDDLE & REATH LLP

Dated: May 25, 2007

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	PTO Form 1449		Filing Date: June 9, 2006			Group Art Unit: Unassigned						
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, , , , , , , , , , , , , , , , , , , ,	Search Report dated March 15,	2005 for Internati	ional Applic	ation No	PCT/JP20	04/018460) filed	iisiica.)				
		December 10, 2004 [translated] HOPPY DE HAPPY-TO, Kabushiki Kaisha Asupekuto, "Hoppy de Happy Dokuhon", August 22, 2000,										
	pages 30-32, 34-35 [translated]	isniki Kaisna Asuj	pekuto, "Ho	рру ае н	арру Доки	inon", Aug	ust 22	, 2000,				
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		[translated] Progra SOTOINE "Saka na litan" Vahyahiki Vaisha Talayada Shuman Luna 25, 1075, naga 124 fin										
	Ryozo SOTOIKE, "Sake no Jiten", Kabushiki Kaisha Tokyodo Shuppan, June 25, 1975, page 124 [in Japanese]											
Examiner	•			Date Co	nsidered							
	if reference considered, whether or not conformance and not considered. Inclu						gh cita	tion if				